

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
9:00 A.M. November 15, 2005

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation
 - Pledge of Allegiance
 - Approve the minutes of the November 8, 2005 regular meeting
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AWARDS AND PROCLAMATIONS

- Proclamations
-

PUBLIC AGENDA

1. Gary Cramer, Sedgwick County Extension Ag Agent – Celebration of National Farm/City Week November 14-19, 2005.
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CONSENT AGENDA

2. Report of the Board of Bids and Contracts Dated November 14, 2005.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

3. Application for Licenses.

Renewal – Adult Entertainment

Norman Massey

Circle Cinema

2570 South Seneca

RECOMMENDED ACTION: Approve license subject to Staff review
and approval.

4. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2005</u>	<u>(Consumption on Premises)</u>
Tane Chanthivong Carmen Rosales	Chiang Mai Thai Restaurant* Connie's Mexican Café*	3141 South Hillside 2227 North Broadway

<u>Renewal</u>	<u>2005</u>	<u>(Consumption off Premises)</u>
Saquist Trfan Jayanti G. Patel	Dao Variety Store Food Mart #255	1601 East Central 1400 North Market Suite A

<u>Special Event</u>	<u>December 3, 2005</u>	
Ricardo G. Moreno	American G.I. Forum Saturday Night Boxing	3617 South Seneca

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

5. Preliminary Estimates:

- a) Hydraulic from the north line of 63rd Street South to 200 feet south of 57th Street south to provide four lane traffic and rebuild the bridge south of 57th Street South (472-84118/706922/205388) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$2,500,000
- b) Timberidge Circle to serve Timber Lakes Estates 4th Addition - north of Harry, west of 159th Street East. (472-84253/765953/490066) Does not affect existing traffic. (District II) - \$82,000
- c) Fieldcrest Street from the west line of Lot 21, Block A, west and north to the south line of Maxwell; Maxwell from the east line of Fieldcrest Street west to the west line of Prescott; Prescott from the north line of Maxwell south to the south line of Savannah; Savannah from the east line of Prescott west to the west line of the Plat; Fieldcrest Circle from the north line of Fieldcrest Street north to and including the cul-de-sac; Maxwell Circle from the east line of Maxwell east to and including the cul-de-sac; Prescott Circle (Lots 43 thru 53, Block A) from the north line of Prescott north to and including the cul-de-sac; Prescott Circle (Lots 1 thru 10, Block C) from the south line of Prescott south to and including the cul-de-sac; Sidewalk on Fieldcrest Street, Maxwell, Prescott and Savannah to serve Southern Ridge 2nd Addition - south of Pawnee, west of Maize. (472-84098/765955/490068) Does not affect existing traffic. (District V) - \$327,000
- d) Governour Circle to serve Killarney Plaza East Addition - north of 29th Street North, west of Rock) (472-84225/765950/490063) Does not affect existing traffic. (District I) - \$171,000
- e) Water Distribution System to serve Killarney Plaza East Addition (north of 29th Street North, west of Rock) (448-90077/735269/470940) Does not affect existing traffic. (District I) - \$40,000
- f) 2005-2006 CDBG Asphalt ROW Repairs - north of 31st Street South, east of Hillside. (472-84275/092005/) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$54,170

(Item 5 continued)

- g) Lateral 6, Main 13, Sanitary Sewer #23 to serve Falcon Falls 2nd Addition - north of 45th Street North, west of Hillside. (468-84065/744147/480835) Does not affect existing traffic. (District I) - \$637,000
- h) Lateral 7, Main 13, Sanitary Sewer #23 to serve Falcon Falls 2nd Addition (north of 45th Street North, west of Hillside) (468-84066/744148/480836) Does not affect existing traffic. (District I) - \$91,000

RECOMMENDED ACTION: Receive and file.

6. Statements of Cost:

- a) Meridian from 31st Street South to Pawnee (Design). Total Cost - \$82,788.68; (plus idle fund interest - \$391.18, - plus temporary note financing - \$353.14; less KDOT reimbursements - \$0; less financing previously issued - \$0; less interfund transfers - \$53,000.00). Financing to be issued at this time - \$30,533.00. (706854/472-83756/203-320).
- b) Intersection of Westport and Maize (Design). Total Cost - \$16,752.02; (less idle fund interest - \$43.40, plus temporary note financing - \$276.38; less KDOT reimbursements - \$0; less financing previously issued - \$0; less interfund transfers - \$13,000.00). Financing to be issued at this time - \$3,985.00. (706880/472-83855/204-346).

Partial Statements of Cost:

- c) Seventh Partial) Estimate of Cost for Arkansas Riverbank Improvements (Construction) – Total Cost - \$6,859,000; less KDOT reimbursements - \$0, less financing previously issued - \$4,459,000. Financing to be issued at this time - \$2,400,000. (706556/472-82799/405-209).
- d) (Second Partial) Estimate of Cost for 29th Street North, 1/2 mile east of Ridge – West Street (Design) – Total Cost - \$40,000; less KDOT reimbursements - \$0, less financing previously issued - \$25,000. Financing to be issued at this time - \$15,000. (706855/472-83753/203-321).
- e) (First Partial) Estimate of Cost for Bike Path along the Little Arkansas River, from 13th Street to 21st Street (Construction) – Total Cost - \$132,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$132,000. (706876/472-83812/203-342).
- f) (Third Partial) Estimate of Cost for 29th Street North from Maize to Tyler (Construction) – Total Cost - \$2,479,820; less KDOT reimbursements - \$1,771,820, less financing previously issued - \$130,000. Financing to be issued at this time - \$578,000. (706868/472-83863/204-334).
- g) (Second Partial) Estimate of Cost for Greenwich; 13th and K-96 Freeway (Design) – Total Cost - \$260,000; less KDOT reimbursements - \$0, less financing previously issued - \$100,000. Financing to be issued at this time - \$160,000. (706899/472-84004/204-365).
- h) (Second Partial) Estimate of Cost for 29th Street North; 119th Street West and Maize (Design) – Total Cost - \$48,000; less KDOT reimbursements - \$0, less financing previously issued - \$20,000. Financing to be issued at this time - \$28,000. (706901/472-83982/204-367).
- i) (Second Partial) Estimate of Cost for 17th Street; Broadway and I-135 Freeway (Design) – Total Cost - \$40,000; less KDOT reimbursements - \$0, less financing previously issued - \$25,000. Financing to be issued at this time - \$15,000. (706903/472-84014/204-369).

(Item 6 continued)

- j) (Second Partial) Estimate of Cost for Dewey, Main and Broadway (Design) – Total Cost - \$21,000; less KDOT reimbursements - \$0, less financing previously issued - \$10,000. Financing to be issued at this time - \$11,000. (706905/472-84011/204-371).
- k) (First Partial) Estimate of Cost for 13th Street from 135th Street West to Azure (Construction) – Total Cost - \$16,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$16,000. (706913/472-84131/204-379).
- l) (First Partial) Estimate of Cost for the Intelligent Transportation System Study – Total Cost - \$63,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$63,000. (706916/472-84119/205-382).
- m) (First Partial) Estimate of Cost for Meridian Street Improvement, 31st Street South to Pawnee (Construction) – Total Cost - \$1,328,862; less KDOT reimbursements - \$853,862, less financing previously issued - \$0. Financing to be issued at this time - \$475,000. (706918/472-84175/205-384).
- n) (First Partial) Estimate of Cost for Oliver Bridge Improvement at Gypsum Creek (Construction) - Total Cost - \$10,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$10,000. (715703/472-84184/245-119).
- o) (First Partial) Estimate of Cost for 29th Street North, 119th Street West and Maize (Construction) – Total Cost - \$39,900; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$39,000. (706919/472-84185/205-385).
- p) (Second Partial) Estimate of Cost for 13th Street Bridge at Cowskin Creek (Construction) – Total Cost - \$792,818; less KDOT reimbursements - \$0, less financing previously issued - \$452,818. Financing to be issued at this time - \$340,000. (751697/472-83851/244-113).
- q) (Second Partial) Estimate of Cost for 21st Street Bridge at St. Francis (Construction) – Total Cost - \$127,318; less KDOT reimbursements - \$39,318, less financing previously issued - \$13,000. Financing to be issued at this time - \$75,000. (715699/472-83933/244-115).
- r) (First Partial) Estimate of Cost for 21st Street Bridge at the Arkansas River (Design) – Total Cost - \$12,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$12,000. (715700/472-84019/244-116).
- s) (First Partial) Estimate of Cost for Hillside Bridge at Range Road (Design) – Total Cost - \$15,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$15,000. (715701/472-84000/244-117).
- t) (Second Partial) Estimate of Cost for Skate Park under the Kellogg Overpass at St. Francis (Construction) – Total Cost - \$95,500; less KDOT reimbursements - \$0, less financing previously issued - \$45,500. Financing to be issued at this time - \$50,000. (785027/392-159).
- u) (Second Partial) Estimate of Cost for ROW Acquisition Cowskin Creek Improvement - \$740,000; less financing previously issued - \$355,000. Financing to be issued at this time - \$385,000. (660792/864-002).
- v) (Second Partial) Estimate of Cost for 1st & 2nd Street West Outfall - \$5,600,000; less financing previously issued - \$100,000. Financing to be issued at this time - \$5,500,000. (660795/864-401).
- w) (First Partial) Estimate of Cost for Dry Creek ROW – Flood Mitigation - \$920,000; less financing previously issued - \$0.00. Financing to be issued at this time - \$920,000. Amended Partial Statements of Cost

(Item 6 continued)

- x) (Third Partial) Estimate of Cost for Harry Street, between I-135 Freeway and George Washington Boulevard (Construction) – Total Cost - \$936,923; less KDOT reimbursements - \$516,923, less financing previously issued - \$223,000. Financing to be issued at this time - \$197,000. (706851/472-83686/203-317).
- y) (Second Partial) Estimate of Cost for Douglas at Oliver Intersection (Design) – Total Cost - \$24,000; less KDOT reimbursements - \$0, less financing previously issued - \$11,000. Financing to be issued at this time - \$13,000. (706853/472-83755/203-319).
- z) (Third Partial) Estimate of Cost for 29th Street North, Tyler - Ridge (Design) – Total Cost - \$125,000; less KDOT reimbursements - \$0, less financing previously issued - \$61,000. Financing to be issued at this time - \$64,000. (706856/472-83751/203-322).
- aa) (Second Partial) Estimate of Cost for 29th Street North, 1/2 mile west of Maize to Maize (Design) – Total Cost - \$33,000; less KDOT reimbursements - \$0, less financing previously issued - \$13,000. Financing to be issued at this time - \$20,000. (706858/472-83752/203-324).
- bb) (Second Partial) Estimate of Cost for Central, Oliver to Woodlawn (Design) – Total Cost - \$99,000; less KDOT reimbursements - \$0, less financing previously issued - \$85,000. Financing to be issued at this time - \$14,000. (706862/472-83754/203-328).
- cc) (Third Partial) Estimate of Cost for Main, Douglas to Murdock (Construction) – Total Cost - \$1,043,000; less KDOT reimbursements - \$0, less financing previously issued - \$1,016,000. Financing to be issued at this time - \$27,000. (706864/472-83811/203-330).
- dd) (Third Partial) Estimate of Cost for Hillside, from Kellogg to Central – Total Cost - \$426,439; less KDOT reimbursements - \$0, less financing previously issued - \$246,439. Financing to be issued at this time - \$180,000. (706867/472-83862/204-333).
- ee) (Third Partial) Estimate of Cost for Pawnee, Washington to Hydraulic – Total Cost - \$959,900; less KDOT reimbursements - \$0, less financing previously issued - \$139,900. Financing to be issued at this time - \$820,000. (706869/472-83858/204-335).
- ff) (Third Partial) Estimate of Cost for the Intersection of Pawnee and Washington – Total Cost - \$215,300; less KDOT reimbursements - \$0, less financing previously issued - \$174,300. Financing to be issued at this time - \$41,000. (706870/472-83859/204-336).
- gg) (Second Partial) Estimate of Cost for Central; Oliver and Woodlawn – Total Cost - \$125,000; less KDOT reimbursements - \$0, less financing previously issued - \$39,000. Financing to be issued at this time - \$86,000. (706871/472-83873/204-337).
- hh) (Second Partial) Estimate of Cost for Central, Woodlawn and Rock – Total Cost - \$27,000; less KDOT reimbursements - \$0, less financing previously issued - \$14,000. Financing to be issued at this time - \$13,000. (706872/472-83874/204-338).
- ii) (Second Partial) Estimate of Cost for Hydraulic, 47th Street South and 57th Street South (Construction) – Total Cost - \$1,129,000; less KDOT reimbursements - \$0, less financing previously issued - \$654,000. Financing to be issued at this time - \$475,000. (706877/472-83902/204-343).
- jj) (First Partial) Estimate of Cost for Arterial Sidewalk & Wheelchair Ramp Program (Construction) – Total Cost - \$100,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$100,000. (706879/472-83966/204-345).

(Item 6 continued)

- kk) (First Partial) Estimate of Cost for a Bike Path along the former MOPAC/UP Railroad Tracks from the intersection of Central at Waco to 15th Street North at Broadway – Total Cost - \$11,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$11,000. (706884/472-84008/204-350).
- ll) (Second Partial) Estimate of Cost for Seneca; I-235 Freeway and 31st Street South (Design) – Total Cost - \$59,000; less KDOT reimbursements - \$0, less financing previously issued - \$35,000. Financing to be issued at this time - \$24,000. (706892/472-84006/204-358).
- mm) (Second Partial) Estimate of Cost for Pawnee; Meridian to Seneca (Design) – Total Cost - \$60,000; less KDOT reimbursements - \$0, less financing previously issued - \$30,000. Financing to be issued at this time - \$30,000. (706893/472-84012/204-359).
- nn) (Second Partial) Estimate of Cost for Pawnee; Palisade and Broadway (Design) – Total Cost - \$37,000; less KDOT reimbursements - \$0, less financing previously issued - \$20,000. Financing to be issued at this time - \$17,000. (706894/472-84013/204-360).
- oo) (First Partial) Estimate of Cost for Oliver; Harry to Kellogg (Design) – Total Cost - \$43,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$43,000. (706895/472-84018/204-361).
- pp) (First Partial) Estimate of Cost for MacArthur; Meridian and Seneca (Design) – Total Cost - \$94,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$94,000. (706886/472-83996/204-362).
- qq) (First Partial) Estimate of Cost for Central; 135th Street West and 119th Street West (Design) – Total Cost - \$48,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$48,000. (706898/472-84017/204-364).
- rr) (First Partial) Estimate of Cost for Harry; K-42 Highway and Meridian (Design) – Total Cost - \$24,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$24,000. (706900/472-84001/204-366).
- ss) (Second Partial) Estimate of Cost for 21st Street, Oliver to Woodlawn (Design) – Total Cost - \$76,500; less KDOT reimbursements - \$0, less financing previously issued - \$22,000. Financing to be issued at this time - \$54,500. (706902/472-84016/204-368).
- tt) (Second Partial) Estimate of Cost for 13th, 135th Street West and 119th Street West (Design) – Total Cost - \$82,000; less KDOT reimbursements - \$0, less financing previously issued - \$39,000. Financing to be issued at this time - \$43,000. (706904/472-84010/204-370).
- uu) (Second Partial) Estimate of Cost for Pawnee and McLean Intersection (Design) – Total Cost - \$24,000; less KDOT reimbursements - \$0, less financing previously issued - \$10,000. Financing to be issued at this time - \$14,000. (706906/472-84007/204-372).
- vv) (First Partial) Estimate of Cost for Harry and Longford Intersection (Construction) – Total Cost - \$14,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$14,000. (706907/472-83998/204-373).
- ww) (Second Partial) Estimate of Cost for 17th and Hillside Intersection (Design) – Total Cost - \$18,000; less KDOT reimbursements - \$0, less financing previously issued - \$10,000. Financing to be issued at this time - \$8,000. (706908/472-84015/204-374).

(Item 6 continued)

- xx) (Second Partial) Estimate of Cost for Traffic Signalization Program (Construction) – Total Cost - \$407,000; less KDOT reimbursements - \$0, less financing previously issued - \$100,000. Financing to be issued at this time - \$307,000. (706911/472-83991/204-377).
- yy) (First Partial) Estimate of Cost for 29th Street Improvement between Tyler and Ridge (Construction) – Total Cost - \$28,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$28,000. (706914/472-83903/204-380).
- zz) (First Partial) Estimate of Cost for 2005 Arterial Sidewalk & Wheelchair Ramp Program – Total Cost - \$190,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$190,000. (706915/472-84142/205-381).
- aaa) (First Partial) Estimate of Cost for the 9th Street Bridge at Westlink Ditch (Design & Construction) – Total Cost - \$227,364; less KDOT reimbursements - \$173,364, less financing previously issued - \$30,000. Financing to be issued at this time - \$24,000. (715702/472-84021/244-118).
- bbb) (First Partial) Estimate of Cost for Oliver Bridge Improvement at Gypsum Creek (Construction) – Total Cost - \$10,000; less KDOT reimbursements - \$0, less financing previously issued - \$0. Financing to be issued at this time - \$10,000. (715703/472-84184/245-119).

RECOMMENDED ACTION: Approve and file.

7. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures.

8. Agreements/Contracts:

- a) Staking in Southern Ridge Third Addition, south of Pawnee, west of Maize. (District IV)-supplemental.
- b) Central Maintenance Facility (CMF) Expansion. (District IV)
- c) Mid-Continent Sewage Treatment Facilities. (District IV)
- d) Janitorial Services Contract-for the four Wichita Police Substations.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

9. Design Services Agreements

- a) Equestrian Estates Addition, south of Harry, east of 127th Street East. (District II)
- b) Prairie Pointe and Prairie Pointe Second Additions, north of 37th Street North, west of Maize. (District V)
- c) Hawthorne Second and Third Additions, north of 21st Street, east of 127th Street East. (District II)
- d) Southern Ridge Second and Third Additions, south of Pawnee, west of Maize. (District IV)

(Item 9 continued)

- e) Falcon Falls Second Addition, north of 45th Street North, west of Hillside. (District I)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

10. Acquisition of Land and Easements by Eminent Domain for the North Area Sewer Sanitary Line near Meridian and 53rd Street North. (District VI)

RECOMMENDED ACTION: Adopt the resolution and place the ordinance providing for the acquisition by eminent domain of certain real property and directing the City Attorney to file the appropriate proceedings in the District Court to accomplish such acquisition on first reading and authorize the necessary signatures.

11. Sale of 1847 Wellington Place. (District VI)

RECOMMENDED ACTION: Approve the Real Estate Purchase Contracts and authorize the necessary signatures.

12. Sale of Surplus Parcel Near Sewer Plant 2. (District III)

RECOMMENDED ACTION: Approve proposal to purchase the surplus property and authorize necessary signatures

13. Kellogg Frontage Road, between 135th Street West and 119th Street West. (District V)

RECOMMENDED ACTION: Approve the project and the City/County Agreement; and authorize the necessary signatures the signing of State/Federal agreements as required.

14. Purchase of Truck Scales for Brooks C & D Landfill. (District VI)

RECOMMENDED ACTION: Approve the selection of Hammel Scale for the purchase and installation of the landfill truck scales and authorize the Purchasing Manager to issue a purchase order of a not-to-exceed amount of \$150,000.

15. Wichita Art Museum Improvements (WAM) (District VI)

RECOMMENDED ACTION: Approve the project; adopt the Resolution; and authorize the necessary signatures.

- 15A. Extend the Moratorium on the Acceptance and Approval of Applications for and Issuance of Land Use, Building and Development Permits and Business Licenses for Adult Entertainment Establishments to Coincide with the End of the Amortization Period to be established in the Uniform Zoning Code for Sexually Oriented Businesses in the City.

RECOMMENDED ACTION: Approve an extension of the current Moratorium on the Issuance of new Adult Entertainment Establishment Licenses and Land Use Permits, to be effective until December 31, 2007.

16. Grants Review Committee Appointments.

RECOMMENDED ACTION: Approve appointments to the 2006 Grants Review Committee. It is further recommended that the City Council authorizes the City Manager to appoint a replacement(s) in the event that an appointee is unable to serve.

17. Lease space at Evergreen Park Health Station, 2700 Woodland. (District VI)

RECOMMENDED ACTION: Approve the Lease Agreement and authorize the necessary signatures.

18. Second Reading Ordinances: (First read November 8, 2005)

- a) Issuance of Taxable Industrial Revenue Bonds, The Boeing Company. (District III)

An Ordinance approving and authorizing the execution of a Lease Agreement between The Boeing Company and the City of Wichita, Kansas; approving and authorizing the execution of an Indenture of Trust between said City and the Bank of New York Trust Company, N.A.; pledging certain payments under said Lease Agreement and moneys and securities held by the Trustee under the terms of said Indenture of Trust; authorizing and directing the issuance of Industrial Revenue Bonds Series V , 2005 (The Boeing Company Project) of said City in the principal amount of \$29,000,000 for the purpose of providing funds for the acquisition, construction, reconstruction and improvement of certain industrial and manufacturing facilities of The Boeing Company, a Delaware Corporation, in Sedgwick County, Kansas; designating the trustee and the paying agent for said bonds; authorizing the sale of said bonds and the execution of a Bond Purchase Agreement therefor; approving and authorizing the execution of an Administrative Service Fee Agreement; and authorizing the execution and delivery of certain related instruments.

(Item 18 continued)

- b) Public Hearing and Issuance of Taxable Industrial Revenue Bonds, Spirit AeroSystems, Inc. (District III)

An Ordinance approving and authorizing the execution of a Lease Agreement between Spirit Aerosystems, Inc. and the City of Wichita, Kansas; approving and authorizing the execution of an Indenture of Trust between said City and the Bank of New York Trust Company, N.A.; pledging certain payments under said Lease Agreement and moneys and securities held by the Trustee under the terms of said Indenture of Trust; authorizing and directing the issuance of Industrial Revenue Bonds Series VI, 2005 (Spirit Aerosystems, Inc. Project) of said City in the principal amount of \$80,000,000 for the purpose of providing funds for the acquisition, construction, reconstruction and improvement of certain industrial and manufacturing facilities of Spirit Aerosystems, Inc., a Delaware Corporation, in Sedgwick County, Kansas; designating the trustee and the paying agent for said bonds; authorizing the sale of said bonds and the execution of a Bond Purchase Agreement therefor; approving and authorizing the execution of an Administrative Service Fee Agreement; and authorizing the execution and delivery of certain related instruments.

- c) ZON2005-00036 - generally located 200 feet west of Battin, north of East Central. (District I)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.21. (ZON 2005-00036)

- d) ZON2005-00039 - generally located midway between Meridian Avenue and West Street, 150-feet south of Central Avenue. (District VI)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.21. (ZON 2005-00039)

- e) DR2005-03-Proposed Amendments to the Wichita-Sedgwick County Subdivision Regulations.

An Ordinance amending the "Wichita-Sedgwick County Subdivision Regulations, January 28, 1999 Edition," as adopted by reference in City of Wichita Code Sec. 28.05.010.

- f) ZON2005-10 - located on the northwest corner of Hillside and 45th Street North. (District I)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.21.(ZON 2005-10)

RECOMMENDED ACTION: Adopt Ordinances.

UNFINISHED BUSINESS

19. DR2005-00030 - Amendment to the April 19, 2001 Edition of the Wichita-Sedgwick County Unified Zoning Code to amend definitions and use regulations for uses including, night clubs in the City, personal care service, personal improvement service, sexually oriented businesses, the OT-O Use Regulations and taverns and drinking establishments and to nonconformities.

On November 1, 2005, Wichita City Council voted (5-2) to enact approving first reading of an ordinance to add regulations to the Unified Zoning Code pertaining to Sexually Oriented Businesses. The ordinance for second reading delineates the changes from first reading that are being recommended for the final ordinance. These changes consist of extending the amortization period from December 31, 2006 to December 31, 2007, as approved by City Council and adding additional due process procedures. Other changes are technical and reorganizational to further clarify the intent of consists of technical changes to the ordinance.

RECOMMENDED ACTION: Adopt the ordinance with the changes provided for second reading, or take other action as deemed appropriate.

(Item 19a.)

- 19A. ***Contract-Wichita Minority Business Development Council.***

(DEFERRED UNTIL DECEMBER 13TH PER THE MINORITY COUNCIL)

NEW BUSINESS

20. Public Hearing and Request for Letter of Intent for Industrial Revenue Bonds, InfoNXX, Inc. (District II)

The Greater Wichita Economic Development Coalition has worked with a national site consultant to recruit a new company to Wichita. InfoNXX, Inc., major provider of telephone directory assistance and enhanced information services to leading communications companies, businesses and consumers located principally in the United States, United Kingdom, France, and Italy. As a result of the recruitment effort, InfoNXX will locate a large customer service center in the former MCI Building, near Rock Road and K-96 in northeast Wichita, and hire over 900 customer care representatives. As an economic development incentive, the City offered InfoNXX Industrial Revenue Bonds (IRBs) and property tax abatement on equipment and furnishings, subject to City Council approval.

RECOMMENDED ACTION: Approve a Letter of Intent to InfoNXX Inc. for Industrial Revenue Bonds in an amount not-to-exceed \$6 million, subject to the Letter of Intent conditions, for a term of six-months, approve a 100% tax abatement on all bond-financed property for an initial five-year period plus an additional five years following City Council review, and authorize the application for a sales tax exemption on bond-financed property.

21. HUD Consolidated Plan Process.

Each year the City of Wichita submits a One-Year Action Plan outlining specific activities to be funded through the CDBG, HOME and ESG programs. In order to receive its annual allocation, the City must have an approved One-Year Action Plan.

RECOMMENDED ACTION: Close the Public Hearing and approve funding categories and reserve amounts for 2006-2007 Consolidated Plan funding, based on funding

(9:30 a.m. or soon thereafter)

22. Repair or Removal of a Dangerous and Unsafe Structure.

On October 4, 2005, a report was submitted with respect to the dangerous and unsafe conditions on the property below. The Council adopted a resolution providing for a public hearing to be held on this condemnation action at 9:30 a.m. or as soon thereafter, on November 15, 2005.

Property Address

a) 1135 North Piatt

Council District

I

RECOMMENDED ACTION: The City Council close the public hearing, adopt the resolution declaring the building a dangerous and unsafe structure, and accept the BCSA recommended action to proceed with condemnation allowing 10 days to start demolition and 10 days to complete removal of the structures. Any extensions of time granted to repair the structure would be contingent on the following: (1) All taxes have been paid to date, as of November 15, 2005; (2) the structure has been secured as of November 15, 2005 and will continue to be kept secured; and (3) the premises are mowed and free of debris as of November 15, 2005 and will be so maintained during renovation.

23. Ordinance changes to the City of Wichita Electrical Code, Title 19 of the Code of the City of Wichita.

The National Electrical Code (NEC), published by the National Fire Protection Association, is updated every three years in order to keep current with changing industry standards and practices. The 2005 NEC is the most current edition. Presently, the City of Wichita is enforcing the 2002 Edition of this Code as adopted and amended in Title 19 of the Code of the City of Wichita.

RECOMMENDED ACTION: The Board of Electrical Appeals and the Office Central Inspection recommend that the proposed ordinance amendments to the City of Wichita Electrical Code (Title 19 of the Code of the City of Wichita) be placed on first reading.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

24. *SUB2002-17-Plat of Holt Addition, located on the south side of Central Avenue and west of Greenwich Road.
(County)

RECOMMENDED ACTION: Approve the document and plat and authorize the necessary signatures.

25. *SUB2005-05-Plat of Clifton Cove Addition, located on the south side on the south side of 63ed Street South and west of Clifton. (District III)

RECOMMENDED ACTION: Approve the documents and plat and authorize the necessary signatures.

26. *SUB2005-95-Plat of 21st Street Kids and Family Empowerment Addition, located east of Hydraulic and on the north side of 21st Street North. (District I)

RECOMMENDED ACTION: Approve the documents and plat; authorize the necessary signatures for approval of the plat and the City's ownership interest and place the ordinance on first reading.

27. *A05-06R Caywood, LLC and Donnie E. Cook, request to annex lands generally located southwest of the Intersection of 63rd Street South and Clifton Street. (District III)

RECOMMENDED ACTION: Approve the annexation request; place the ordinance on first reading and authorize the necessary signatures.

28. *A05-14R Request by Pearce Schnitzler Farms and R & R Realty, to annex land generally located northwest of 53rd Street and Meridian. (District VI)

RECOMMENDED ACTION: Approve the annexation request; place the Ordinance on first reading and authorize the necessary signatures.

29. *A05-15R Request by Paul R. Weninger Revocable Living Trust and Mary Joan Weninger Revocable Living Trust, to annex land generally located southwest of the Intersection of Pawnee and 127th Street East. (District II)

RECOMMENDED ACTION: Approve the annexation request; place the Ordinance on first reading and authorize the necessary signatures.

HOUSING AGENDA

NOTICE: The City Council is meeting as the governing body of the Housing Authority for consideration and action on items on this Agenda, pursuant to State law, HUD, and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

*Consent items.

Inafay Grays-McClellan, Housing Member is also seated with the City Council.

30. 2006 Payment Standards-Section 8 Housing Choice Vouchers.

RECOMMENDED ACTION: Approve the revised payment standards for the Section 8 Voucher Program to be effective for January 1, 2006 for new clients and current clients who are relocating and as of April 1, 2006 for current clients as determined by their recertification dates.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

*Consent items

31. *Consent to Assignment of Aviation Education Center to WATC.

RECOMMENDED ACTION: Approve the Agreement; authorize necessary signatures.

CITY COUNCIL

32. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

Adjournment

Workshop to follow